

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323-AB  
MDL No. 2323

THIS DOCUMENT RELATES TO:  
ALL ACTIONS PENDING AND ALL  
CLAIMS ASSERTED AGAINST ANY  
RIDDELL DEFENDANT

**Hon. Anita B. Brody**

**RIDDELL DEFENDANTS'<sup>1</sup> NOTICE OF AMENDED APPENDIX 4  
IN SUPPORT OF MOTION TO DISMISS THE PLAINTIFFS' SECOND  
AMENDED MASTER ADMINISTRATIVE COMPLAINT AND AMENDED  
SHORT FORM COMPLAINTS**

The Riddell defendants respectfully submit the attached amended Appendix 4 to their motion to dismiss for failure to state a claim (ECF No. 9575). The attached amended appendix replaces Appendix 4 (ECF No. 9575-5) to the motion to dismiss.

Appendix 4 is a list of plaintiffs who have abandoned their claims against the Riddell defendants because they did not file short-form complaints to the Second Amended Master Administrative Complaint (SAMAC-SFCs), and whose claims should therefore be dismissed. The previously filed Appendix 4 listed plaintiffs Michael Bates, Bob Harrison, Charles Osborne, Adrian Lynn Robinson, Jr., Dwight Scales, and Steve Wallace. Unlike the other plaintiffs listed on the appendix, these six plaintiffs did submit a SAMAC-SFC. However, the Riddell defendants submit that, with respect to these six plaintiffs, there may nonetheless remain an issue whether

---

<sup>1</sup> For convenience only, "the Riddell defendants" refers collectively to the following defendants: Riddell, Inc., All American Sports Corporation, Riddell Sports Group, Inc., BRG Sports, Inc. (f/k/a Easton-Bell Sports, Inc.), BRG Sports, LLC (f/k/a Easton-Bell Sports, LLC), EB Sports Corp., and BRG Sports Holdings Corp. (f/k/a RBG Holdings Corp.). The plaintiffs have amended the case style to reflect the new entity names for the entities previously known as Easton-Bell Sports, Inc. and Easton-Bell Sports, LLC. The plaintiffs also, in what appears to be a typographical error, refer to the "formerly known as" entity for BRG Sports Holdings Corp. as "BRG Holdings Corp." The former entity name was actually RBG Holdings Corp. Riddell has no objection to amending the case style to reflect the new entity names identified in this footnote.

their SAMAC-SFCs were properly filed in accordance with the Court's orders. The Riddell defendants reserve the right to address that issue (and any others) at the plaintiff-specific stage pursuant to this Court's October 24, 2017 order (ECF No. 8472). But at this time, the Riddell defendants are removing these plaintiffs from the appendix and for purposes of the corresponding argument in the motion to dismiss (ECF No. 9575).

For these reasons, the attached amended Appendix 4 is submitted to replace the previously filed Appendix 4 (ECF No. 9575-5) in support of the Riddell defendants' motion to dismiss for failure to state a claim (ECF No. 9575).

Dated: February 16, 2018

Respectfully submitted,

/s/ Paul G. Cereghini

Paul G. Cereghini  
Thomas C. Howard  
BOWMAN AND BROOKE LLP  
2901 N. Central Avenue, Suite 1600  
Phoenix, AZ 85012  
Telephone: (602) 643-2300  
Facsimile: (602) 248-0947  
paul.cereghini@bowmanandbrooke.com  
thomas.howard@bowmanandbrooke.com

Robert L. Wise  
Eden M. Darrell  
BOWMAN AND BROOKE LLP  
901 East Byrd Street, Suite 1650  
Richmond, VA 23219  
Telephone: (804) 649-8200  
Facsimile: (804) 649-1762  
rob.wise@bowmanandbrooke.com  
eden.darrell@bowmanandbrooke.com

Thomas P. Wagner  
MARSHALL DENNEHEY WARNER  
COLEMAN & GOGGIN  
2000 Market Street, Suite 2300  
Philadelphia, PA 19103  
Telephone: (215) 575-4562  
Facsimile: (215) 575-0856  
tpwagner@mdwgcg.com

Attorneys for Defendants

**CERTIFICATE OF SERVICE**

The undersigned certifies that on February 16, 2018, the foregoing was electronically filed and served via ECF on all counsel of record registered to receive service via the Court's CM/ECF system.

/s/ Paul G. Cereghini